

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RENNER *et al.*

Appl. No. 09/275,883

Filed: March 25, 1999

For: **Inducible Alphaviral Gene
Expression System**



Art Unit: 1633

Examiner: To be assigned

Atty. Docket: 1700.0020001/JAG/SGW

Second Supplemental Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on August 31, 1999 in connection with the above-captioned application.

Applicants note that document AL2 is a PCT application which published on April 15, 1999 without an international search report and was republished on July 8, 1999 with a search report. Copies of both the originally published application and the international search report published with the republished application are both provided herewith as document AL2.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

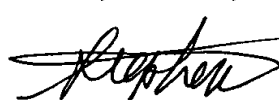
This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Thus, no statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 1/4/00

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1633

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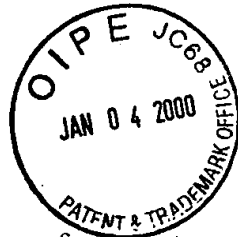
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**REGISTERED PATENT AGENTS



January 4, 2000

WRITER'S DIRECT NUMBER:
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Assistant Commissioner for Patents
Washington, D.C. 20231

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Re: U.S. Utility Patent Application
Appl. No. 09/275,883; Filed: March 25, 1999
For: **Inducible Alphaviral Gene Expression System**
Inventors: RENNER *et al.*
Our Ref: 1700.0020001/JAG/SGW

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement (*in duplicate*);
2. A listing of the cited documents on Form PTO-1449 (2 sheets);
3. Copies of Documents: AL2, AS30, AT30, and AR31; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Assistant Commissioner for Patents
January 4, 2000
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Stephen G. Whiteside", written over a horizontal line.

Stephen G. Whiteside
Attorney for Applicants
Registration No. 42,224

Enclosures

[illegible]

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